

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MEMORANDUM

Case No. CV 15-3788 DSF (MRWx)

Date 9/24/15

Title Frank Slobig, et al. v. Ken Sonnenberg, et al.

Present: The Honorable	DALE S. FISCHER , United States District Judge
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Debra Plato

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Not Present

Attorneys Present for Defendants:

Not Present

Proceedings: (In Chambers) Order to Show Cause re Dismissal or Transfer Due to Lack of Venue; Order Continuing Hearing on Motion to Compel Arbitration

From the face of the complaint, it appears that this Court is not a proper venue for this action. 28 U.S.C. § 1391(b) generally allows for venue in “a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located” or “a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated.” It is clear from the complaint that not all Defendants are residents of California. It also appears from the complaint that the events related to the case that occurred in California, if any, were peripheral at best. Most of the Defendants are alleged to have operated out of Utah and Plaintiffs are alleged to have resided in New York at the time of the alleged frauds. Therefore, venue does not appear proper in this District. Alternatively, even if venue were technically proper, the allegations of the complaint strongly suggest that Utah would be a vastly more convenient forum under the relevant § 1404(a) factors. Therefore, Plaintiffs are ordered to show cause, in writing, no later than October 9, 2015, why this case should not be either dismissed for lack of venue or transferred pursuant to 28 U.S.C. § 1406(a) or § 1404(a).

The hearing on the pending motion to compel arbitration is continued to October 26, 2015 at 1:30 p.m.

IT IS SO ORDERED.